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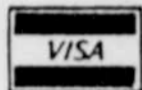


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Spring cleaning is a good idea for your legal affairs, too

It is easy and natural to put off taking care of details if you don't know what to do. Some delays can be costly.

BY BRADLEY J. WOODWORTH, Esq.

As certain as death and taxes is the human tendency to delay in taking action. Although some delays are inevitable, delays in solving your legal problems can be more costly and complicated than taking action now. The purpose of this column is to encourage you to review your affairs, to solve old problems and possibly to prevent future ones. You need not consult a lawyer to give yourself a legal checkup.

Counsel

but you may wish to do so if your review reveals a problem that needs attention.

Property, contracts and leases

If you and your lover have bought property together, you may have delayed placing the property in both of your names. Perhaps you have a deed, but have not recorded it in the public property records. Other problems include a mistake to correct in the payment schedule or interest rate for your property, a boundary dispute with a neighbor, and a lien on your property that you dispute. Letting these matters slide will only compound the problem. If you have been paying the wrong interest rate on your loan for a number of years, it will take time to sort out the account. If you fail to object to a neighbor's use of your property, you could lose the disputed piece of land. If you delay in recording a deed, you could lose your priority against others who have recorded their documents.

If you are selling property on a contract and have consistently accepted late or partial payments from your buyers, you will need to "reinstate" the contract requirements of full payment on time before the buyers can be held in default.

If you have a residential or commercial lease, you may need to give advance notice of your

intent to exercise an option or extension. Sometimes lease terms become disputed, but the parties delay in resolving the dispute. For example, I recently helped a person sell a business on very favorable terms. At the last minute, the landlord demanded \$7,000 for "back electric bills" because he and the tenant had been fussing for years over how the single electric-meter reading was to be divided among several tenants. The landlord's claim almost killed the sale. This problem should have been solved when it came up.

Couple's agreements and partnerships

Perhaps you and your lover have bought a house or your affairs have become substantial without making a formal agreement about joint and separate property. You may be putting off formalizing a domestic partnership agreement only to buy future problems.

Wills and estate planning

The most common area of delay is in making or revising a will. If you want your property to pass to your lover, and there is no will, your property will pass to your blood relatives (or spouse, if you are separated but have not gotten a divorce) instead. If you have a will, it may need to be updated if your main beneficiaries have died or your feelings about them have changed. Many changes to a will can be made by a codicil, eliminating the need to make an entirely new will.

If your net worth exceeds \$600,000 you definitely should not delay planning your estate so as to avoid estate taxes.

Insurance policies

You should periodically review all your insurance coverages. Are all your possible losses insured against? Are the limits sufficient to protect you? If years ago you bought a minimum automobile liability policy — usually \$25,000 — and have not updated it, you may not be fully covered. If you wreck another's \$50,000 Mercedes, you may be liable for \$25,000. It is easy to consume \$25,000 in personal injury coverage as well. Make sure your insurance is adequate to protect you and your assets. Life insurance needs and beneficiaries also may change.

Driving and parking

Is your driver's license current? Do you have any outstanding parking tickets? If you moved without informing DMV of your new address, your license might be suspended and you might not know it.

Overdue parking tickets in Portland double after 30 days. Your car can be towed from the street for any unpaid tickets, and if your unpaid tickets total \$56 or more, your car is automatically put on the "tow list." Coming out of a restaurant or movie house to find your car gone is very disturbing — believe me, I know. You will be further disturbed when you have to pay in cash all the fines as well as outrageous towing company fees to a (usually) surly tow-truck operator.

Finally . . .

It is easy and natural to put off taking care of details if you don't know what to do. Some delays can be costly. Take a couple of hours to go over the details you have been putting off. You may save yourself time, trouble and money at a later date.

Bradley J. Woodworth is an attorney in private practice and maintains an office in the Oregon Trail Building in downtown Portland.

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